

DOCKET NO: 242243US-2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KAZUNARI TONAMI, ET AL. : EXAMINER: VO, QUANG N.
SERIAL NO: 10/666,246 :
FILED: SEPTEMBER 22, 2003 : GROUP ART UNIT: 2625
FOR: METHOD OF, APPARATUS FOR :
IMAGE PROCESSING, AND COMPUTER
PRODUCT

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction requirement of July 6, 2007, Applicants elect, with traverse, the invention of Group I, Claims 1-5, 21-25, 31, 35, 37, and 41.

Applicants traverse the outstanding Restriction requirement on the grounds that it has not been established that it be an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, a Restriction is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding Restriction requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding Restriction requirement has not established that each of the claims could be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.

Respectfully submitted,

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